



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

December 30, 2013

Mr. Joseph L. Parks  
Executive Director  
Safety and Security Services  
Plano Independent School District  
2700 West 15th Street  
Plano, Texas 75075

OR2013-22421

Dear Mr. Parks:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 509680 (PISD Internal Reference No. 2013-205).

The Plano Independent School District (the "district") received a request for the most recent directory of all district employees and substitutes that includes 17 specified categories of information. You inform us you will release some of the requested information, with redactions made pursuant to section 552.024 of the Government Code.<sup>1</sup> You claim portions of the remaining requested information are excepted from disclosure under section 552.102 of the Government Code. We have considered the exception you claim and reviewed the submitted representative sample of information.<sup>2</sup>

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<sup>1</sup>Section 552.024(c)(2) of the Government Code authorizes a governmental body to redact information protected by section 552.117(a)(1) of the Government Code without the necessity of requesting a decision under the Act if the current or former employee or official to whom the information pertains timely chooses not to allow public access to the information. *See* Gov't Code § 552.024(c)(2).

<sup>2</sup>We assume the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

Section 552.102 of the Government Code excepts from disclosure “information in a personnel file, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” Gov’t Code § 552.102(a). The Texas Supreme Court held section 552.102(a) excepts from disclosure the dates of birth of state employees in the payroll database of the Texas Comptroller of Public Accounts. *Tex. Comptroller of Pub. Accounts v. Attorney Gen. of Tex.*, 354 S.W.3d 336 (Tex. 2010). In this instance, the requestor seeks the birth month and the birth year of the district employees. Upon review, we find the information you have marked is confidential under section 552.102(a) of the Government Code based on the Texas Supreme Court’s ruling in *Tex. Comptroller of Pub. Accounts*. Accordingly, the district must withhold the information you have marked under section 552.102 of the Government Code. As you raise no exceptions to disclosure for the remaining information at issue, this information must be released.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at [http://www.texasattorneygeneral.gov/open/orl\\_ruling\\_info.shtml](http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml), or call the Office of the Attorney General’s Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Tim Neal  
Assistant Attorney General  
Open Records Division

TN/dls

Ref: ID# 509680

Enc. Submitted documents

c: Requestor  
(w/o enclosures)